

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

David Nathaniel Rhoad,	)	
	)	
Plaintiff,	)	Civil Action No. 9:15-cv-4315-TLW
v.	)	
	)	
P.E. Spivey, Veronica Deese,	)	<b>ORDER</b>
J. Greenway and Lt. Cato,	)	
	)	
Defendants.	)	
	)	

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On October 21, 2015, Plaintiff David Nathaniel Rhoad, (“Plaintiff”) brought this action, *pro se*, pursuant to 42 U.S.C. § 1983. ECF No. 1.

This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Bristow Marchant, to whom this case had previously been assigned. ECF No. 12. In the Report, the Magistrate Judge recommends that Plaintiff’s complaint be dismissed pursuant to Federal Rule of Civil Procedure 41(b) with prejudice. ECF No. 12. Plaintiff filed no objections to the report. Objections were due on December 21, 2015.

This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge’s Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that Report. 28 U.S.C. § 636. In the absence of objections to the Report of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED**. ECF No. 12. For the reasons articulated by the Magistrate Judge, this action is **DISMISSED** with prejudice pursuant to Federal Rule of Civil Procedure 41(b) for lack of prosecution.<sup>1</sup>

**IT IS SO ORDERED.**

s/Terry L. Wooten  
Chief United States District Judge

June 17, 2016  
Columbia, South Carolina

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<sup>1</sup> On November 16, 2015, a Proper Form Order was mailed to the Plaintiff's last known address. ECF No. 8. The envelope containing the Proper Form Order was returned to the Court indicating that the Plaintiff is no longer incarcerated at Kershaw County Detention Center. ECF No. 11. The Report and Recommendation also was mailed to the Plaintiff's last known address and returned as undeliverable. ECF No. 14.